

YOUTH SERVICES POLICY

Title: Case Assessment Process for Secure Care Placement Next Annual Review Date: 06/21/2017	Type: D. Community Based Services Sub Type: 9. Placement, Transfer, Termination and Removal Process Number: D. 9.13
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References: ACA Standards 2-CO-4A-01, 2-CO-4B-01, 2-CO-4B-03, 2-CO-4B-04, 2-CO-4F-01 (Administration of Correctional Agencies; YS Policy Nos. B.2.1 "Assignment, Reassignment, Release, and Discharge of Youth", YS Policy B.2.3 "Secure Care Intake", B.2.11 "Modification of Disposition", B.2.12 "Fast Track Program", and B.2.14 "Secure Care SAVRY"; LA Children's Code Arts. 890, 897, 897.1, 901, 906, 908, 909, 910 and 911; Louisiana Revised Statute 14:2; Louisiana Revised Statute 15:901.	
STATUS: Approved	
Approved By: James Bueche, Ph.D., Deputy Secretary	Date of Approval: 06/21/2016

I. AUTHORITY:

Deputy Secretary of Youth Services (YS) as contained in La. R.S. 36:405. Deviation from this policy must be approved by the Deputy Secretary.

II. PURPOSE:

To establish the assessment and appropriateness of youth placed in the custody of YS, Office of Juvenile Justice (OJJ) for secure care placement.

III. APPLICABILITY:

Deputy Secretary, Assistant Secretary, Chief of Operations, Deputy Assistant Secretary, General Counsel, Regional Directors, Contracted Health Care Provider, Central Office (CO) Program Manager, Central Office (CO) Program Coordinator, Regional Managers, Probation and Parole Supervisors/Juvenile (PPS/J), and Probation and Parole Officers/Juvenile (PPO/J).

Unit Heads are responsible for ensuring adherence to guidelines established throughout this policy.

IV. DEFINITIONS:

Commitment Order/Custody Order - Court order signed by a judge placing an adjudicated delinquent youth in the custody of YS.

Community Based Services (CBS) - Includes the regional probation and parole offices located throughout the state.

Disposition (also known as Judgment of Disposition) – The written order of the court following adjudication which assigns custody/supervision and the terms thereof.

Disposition Matrix – The “OJJ Disposition Matrix” is a tool based on a model of structured decision-making regarding the most appropriate level of supervision and custody for adjudicated youth at the time of the initial case disposition and/or modification of disposition (refer to YS Policy No.B.2.11). It focuses on the intersection of the current offense and the youth’s risk level based on the SAVRY assessment. The Disposition Matrix is organized by SAVRY risk and offense severity and places youth along a continuum of disposition options, typically including probation, intensive supervision, and out-of-home non-secure or secure placement.

Due Process Hearing - The process afforded a youth when transferred from custody non-secure delinquent to custody secure delinquent without the benefit of a court hearing (refer to YS Policy No. B.2.3).

Fast Track Program – A three (3) phase program lasting between 120 – 150 days with the objective of changing a youth’s antisocial thinking and behaviors to more pro-social thoughts by providing the youth with the appropriate dosage of evidence based cognitive behavioral treatment, in addition to utilizing a behavior management system that uses best practice, thereby reducing their length of stay in a secure care facility (refer to YS Policy No. B.2.12).

Graduated Sanctions - An accountability-based, graduated series of sanctions applicable to juveniles within the juvenile justice system to hold such juveniles accountable for their actions. The graduated sanctions grid is a tool used to ensure that sanctions are consistently applied and that youth offenders on probation will face uniform, immediate, and consistent consequences that correspond to the SAVRY risk seriousness of the probation/parole violation to prevent their subsequent involvement with the juvenile justice system

Intake Packet - The documents required at intake into a secure care facility which shall include the following (refer to YS Policy No. B.2.3):

- Order of Commitment/Custody Order
- Judgment of Adjudication
- Judgment of Disposition
- Signed and approved case staffing report
- Other available relevant reports

Probation and Parole Officer/Juvenile (PPO/J) – PPO/J’s assist youth and families in locating, accessing and coordinating networks of support to address needs. PPO/J’s shall coordinate case management services in accordance with need assessments, as well as monitor, compliance with the services provided and court ordered requirement while the youth is in the custody or under the supervision of YS.

Central Office Program Coordinator - Responsible for tracking and movement of youth into intake beds at OJJ secure care facilities.

Central Office Program Manager - Responsible for administering comprehensive statewide programs.

Regional Director – Deputy Assistant Secretary responsible for the oversight of all functions and operations of the Community Based Services Regional Offices and the secure care facility in their assigned Region.

Regional Managers - Managers of the CBS offices located throughout the state.

Secure Care Center for Youth – "a living environment characterized by a range of moderate to high security level facilities that include construction, fixtures and staff supervision designed to restrict the movements and activities of the residents, and to control, on a 24-hour basis, the ability of the residents to enter and leave the premises, and which are intended for the treatment and rehabilitation of children who have been adjudicated delinquent." [Ch. Code Article 116(24.2)]

The secure care centers operated by YS are as follows:

- Bridge City Center for Youth (BCCY)
- Swanson Center for Youth (SCY)
- Swanson Center for Youth @ Columbia (SCYC)

Structured Assessment of Violence Risk in Youth (SAVRY) – The Structured Assessment of Violence Risk in Youth is an evidence-based assessment designed to assist professionals in making judgments about a youth's needs for case planning. This assessment comprises 24 risk/need items which were identified in existing research on adolescent development and on delinquency and aggression in youth. Six protective factors are included in the SAVRY which have also been identified by current research as potentially mitigating the risk of future violence and delinquent activity. The SAVRY utilizes a structured, professional judgment method of assessment, meaning the individual completing the assessment rates the youth on a number of evidence based risk factors and then weighs all the information to come to a final judgment that the youth is Low, Moderate or High Risk for future violence and/or general reoffending. (Refer to YS Policy No. B.2.14)

SAVRY Service Referral Matrix - An inventory of community services specific to a region used to identify and match proper services based on the individual youth's risk/need factors. This proper matching between risk/needs and services has been shown to be critical in reducing re-offending and likewise improving public safety.

Unbiased Staff Member - A Probation and Parole Officer/Juvenile (PPO/J) or Probation and Parole Supervisor/Juvenile (PPS/J) not directly involved with a particular case.

V. POLICY:

It is the Deputy Secretary's policy that when out of home placement is necessary, youth shall be placed in a program which is most appropriate to meet his/her needs, in the least restrictive environment, and in close proximity to his/her home. To the extent that public safety is protected and the youth is not a threat to himself/herself or others, YS shall employ all available resources to prevent the removal of the youth from his/her home.

It is also the Deputy Secretary's policy that the assignment of a youth in the custody of YS shall be, whenever possible, made in accordance with the guidelines of the attached "OJJ Disposition Matrix".

VI. RECOMMENDATIONS REGARDING YOUTH SERVICES SECURE CUSTODY:

- A. In all cases, YS staff recommendations to the court regarding a youth being considered for secure placement in the custody of YS shall be preceded by a case staffing. A thorough consideration of options outlined on the "OJJ Disposition Matrix" not requiring removal from the home shall be given prior to recommending a secure custody disposition and placement to the court.
- B. Case staffings in which secure custody is being considered shall consist of the following designated staff:
 - 1. The Youth's assigned Probation and Parole Officer (PPO/J);
 - 2. The Probation and Parole Supervisor/Juvenile (PPS/J);
 - 3. An unbiased party;
 - 4. The Regional Manager; and
 - 5. The Regional Director.

Parents may be notified of the outcome of the staffing at the discretion of the staffing committee.

- C. The case staffing shall consist of all mandatory parties as outlined in Section VI. B. and shall include a thorough discussion of the detailed information outlined in the Case Staffing Report. Prior to the case staffing, the PPO/J and the Supervisor shall discuss the issues with the youth and parent in order to allow them an opportunity to provide input and explore alternative options. The case staffing report shall include: current SAVRY risk for violence and general delinquency, history of violent behavior, current offense(s), prior legal involvement, current need areas identified by the SAVRY and the services used to address them including outcomes, any history of mental health services, history of previous services and outcomes, probation/parole violations and graduated sanctions used to address them.

The “OJJ Disposition Matrix” shall be utilized in considering an appropriate disposition recommendation to the court. OJJ shall not make a recommendation to place a youth in secure care custody unless his/her welfare or the safety and protection of the public cannot be adequately safeguarded without such removal.

Prior to conducting the case staffing, the SAVRY assessment, the SAVRY Social History, PDI, and/or Supplemental Social shall be completed. The case staffing shall be documented on a Case Staffing Report form in JETS within three (3) working days from the date the staffing is held, with a hard copy of the signature page only placed in the youth’s case record. All participants must sign the report documenting attendance and agreement with the consensus recommendation.

- D. The philosophy of OJJ is to match youth with the most appropriate supervision, level of care and services based on his/her risks and needs which provides the best opportunity to abate future reoffending behavior. Therefore, any recommendations that deviate from the “OJJ Disposition Matrix” must be approved through an override/exception request made to the Regional Director and the Deputy Secretary.

If the override is approved by the Regional Director after conducting the case staffing, the completed and signed Case Staffing Report shall be submitted to the Deputy Secretary/designee for review. The PPO/J shall not move forward with a secure care placement or recommendation if an override is required, until approval is obtained by the Regional Director and Deputy Secretary. The signature page of the Case Staffing Report approving the override shall be placed in the youth’s case record.

- E. In the event the Court recommends secure care placement for a youth without a recommendation from OJJ, the PPO/J shall staff the case within five (5) business days of receiving notification of the youth’s placement in OJJ custody for secure care. The case staffing shall include all mandatory parties as outlined in Section VI. B. If after consideration of all factors as outlined in Section VI. C. and the “OJJ Disposition Matrix”, the youth does not meet the need for secure placement, the PPO shall develop a detailed written alternative plan. The plan shall include the following:

1. The level of appropriate care and supervision as determined by the “OJJ Disposition Matrix” and the SAVRY;
2. The youth’s need areas identified by the SAVRY assessment; and
3. Specific services to be provided in accordance with the “SAVRY Service Referral Matrix”.

This written plan shall be discussed with the judge by the PPO/J and a Supervisor within 48 working hours after the case staffing. The CO Program Manager and the CO Program Coordinator shall be notified as to whether the judge is in agreement with the alternative plan or continues to recommend secure care placement.

- F. Cases in which the judge does not agree with the alternative plan, the CO Program Manager shall discuss them with the Deputy Secretary on a case-by-case basis for further action and consideration. Following the CO Program Manager bringing such issues to the attention of the General Counsel, a follow-up letter from OJJ Legal Services may be sent to the judge advising that OJJ has assessed the youth and determined that secure care is not the most appropriate placement.

OJJ will always act in the best interest of the youth based on the presenting needs as determined by the SAVRY, psychological assessments/evaluations, and social history information, while also taking into account public safety.

VII. ASSIGNMENT OF YOUTH IN YOUTH SERVICES CUSTODY:

As provided in La Children's Code Article 908, except as provided in Article 906, YS shall have sole authority over the placement, care, treatment, or any other considerations deemed necessary from the resources that are available for children judicially committed to YS. The court shall not divide legal and physical custody of a child when assigning custody to the department in accordance with this Article or in accordance with any other statute or provision of law.

Further, as provided in La. R.S. 15:901 D (1), YS shall have sole custody of the "child", except as provided for in La. Ch. Code Article 897.1, and shall determine the child's placement, care and treatment, and the expenditures to be made through appropriate screenings, examinations, tests, or evaluations conducted under the supervision of YS.

VIII. PROCEDURES:

A. Standard Intake Procedures:

1. The assigned PPO/J shall open the youth's case in JETS within 24 business hours of notification of the youth's placement in OJJ custody and ensure that the youth's case is coded appropriately and appears on the pending 14 day order list, if applicable. All necessary case opening requirements such as completion of the SAVRY, social history form, petition screens, and transfer screens shall be completed.
2. After it has been determined that a youth is in need of a secure level of care, the following actions shall be taken by CBS Regional Staff as outlined below.

CBS Regional Staff shall send email notification to the CO Program Coordinator, CO Program Manager, Regional Manager and Regional Director notifying them of a secure care commitment. The notification shall include the following information:

Youth's Name, JETS ID #, Court, Judge, Committing Offense and a copy of the signed and approved Case Staffing Report for youth determined to be appropriate for secure care per the "OJJ Disposition Matrix" or an approved override.

- a. Any special needs, court orders or safety concerns shall be included in the email notification as well.
 - b. CBS Regional Staff shall advise if a Rule to Show Cause/Contempt Hearing has been set and when and/or if the judge advised that the Deputy Secretary/designee will be subpoenaed.
3. After compiling the secure intake packet, the assigned PPO/J shall either fax, scan or email the packet to the CO Program Coordinator. If this information cannot be gathered prior to movement, the intake packet should be sent with the youth on the day of movement to the assigned facility.
4. Email notifications for emergency movement, secure release (refer to YS Policy No. B.2.1) and court updates shall be sent to the CO Program Coordinator with a copy also sent to the CO Program Manager and the appropriate Regional Director.

B. Secure Intake Documents:

A secure care commitment packet shall contain:

1. Order of Commitment/Custody Order;
2. Judgment of Adjudication;
3. Judgment of Disposition;
4. Media Consent Form;
5. Signed and approved case staffing report as outlined in Section VI. C.;
6. SAVRY information;
7. Social history, PDI and/or supplemental social history;
8. Other relevant reports concerning the youth which includes: medical records, medication history, school records, behavioral tendencies, psychological and/or psychiatric assessment, or any combination of the foregoing.

An extract of the official court minutes may be substituted for the items listed.

Judgment of Adjudication/Judgment of Disposition/Custody Order, which should contain the following information:

1. Statements as to whether the youth was represented by counsel or waived the right to counsel and, if represented by counsel, the counsel's name and address;
2. Age of the youth at the time of the offense;
3. The maximum period of confinement specified in years, months and days;
4. A statement specifying all of the following:
 - a. The offense for which the youth was adjudicated delinquent;
 - b. The legal disposition;
 - c. The agency to whom the youth is assigned; and
 - d. Any other applicable terms and conditions regarding the disposition.

C. Intake Priority:

1. Intake for secure care shall be authorized by the CO Program Coordinator. Youth shall be admitted into secure facilities according to the guidelines of the "OJJ Disposition Matrix".
2. If an emergency situation occurs and youth movement is needed immediately, CBS Regional Staff shall send an email notification to the CO Program Coordinator with a copy to the CO Program Manager and the appropriate Regional Director, along with a detailed explanation of the reason for the emergency. The Regional Director shall contact the CO Program Manager to discuss the situation. The CO Program Manager shall verify that the youth meets the criteria outlined in this policy and then relates the information to the Deputy Secretary. It will then be determined if the request can be accommodated.
3. On a weekly basis, the CO Program Coordinator shall determine the number of beds available at each facility and provide the Regional Directors, Regional Managers, Facility Directors, the Contracted Healthcare Provider and the designated Education representative with a list of names of youth to be admitted to each facility. The CO Program Coordinator shall attempt to provide at least a 24-hour notice prior to transferring a youth to a secure care facility in order for a case staffing, and at a youth's request a Due Process Hearing, to occur.
4. Regional Managers shall provide regular updates of any upcoming court hearings recommending possible secure release or notifications of any unexpected secure releases by emailing the CO Program Coordinator, CO Program Manager and the appropriate Regional Director. This action will assist in tracking an accurate count of available secure care beds.

5. All CBS Regional Staff are expected to regularly conduct case staffings of all custody cases for possible releases and to be diligent in pursuing step-downs from secure whenever appropriate.

Previous Regulation/Policy Number: N/A

Previous Effective Date: N/A

Attachments/References: OJJ Disposition Matrix